

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**

In re:)	
)	Chapter 11
RS FIT NW LLC,)	
)	Case No. 20-11568 (TMH)
Debtor.)	(Jointly Administered)
)	
<hr style="border: 0.5px solid black;"/>		
24 HOUR FITNESS WORLDWIDE, INC.,)	
)	
Plaintiff,)	
)	
v.)	
)	
CONTINENTAL CASUALTY COMPANY;)	Adv. Pro. No. 20-51051 (TMH)
ENDURANCE AMERICAN SPECIALTY)	
INSURANCE COMPANY; STARR SURPLUS)	
INES INSURANCE COMPANY; ALLIANZ)	
GLOBAL RISKS US INSURANCE COMPANY;)	
LIBERTY MUTUAL INSURANCE COMPANY;)	
BEAZLEY-LLOYD'S SYNDICATES 2623/623;)	
ALLIED WORLD NATIONAL ASSURANCE)	
COMPANY; QBE SPECIALTY INSURANCE)	
COMPANY; and GENERAL SECURITY)	
INDEMNITY COMPANY OF ARIZONA,)	
)	
Defendants.)	
)	
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**APPENDIX IN SUPPORT OF PLAINTIFF 24 HOUR FITNESS WORLDWIDE, INC.'S
MOTION FOR PARTIAL SUMMARY JUDGMENT**

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Plaintiff 24 Hour Fitness Worldwide Inc. (“24 Hour”) hereby files this Appendix in support of its Memorandum of Points and Authorities in Support of its Motion for Partial Summary Judgment, filed contemporaneously herewith.

Exhibit	Description	Pages
1	Los Angeles County Department of Public Health Advisory, <i>First Case of 2019 Novel Coronavirus (2019-nCoV) in Los Angeles County. Clinical Guidance</i> , January 26, 2020	1–4
2	California Department of Public Health, <i>CDC Confirms Possible First Instance of COVID-19 Community Transmission in California</i> , February 26, 2020	5–6
3	CDC, <i>What to do if you are sick with 2019 Novel Coronavirus (2019-nCoV)</i> , February 5, 2020	7
4	CDC, <i>2019-nCoV: What the public should do</i> , February 5, 2020	8
5	OSHA, <i>Guidance on Preparing Workplaces for COVID-19</i> , March 2020	9–43
6	Los Angeles Declaration of Local Emergency, March 4, 2020	44–45
7	Los Angeles Board of Supervisors Declaration of a Local Health Emergency, March 4, 2020	46–50
8	Los Angeles County Department of Public Health Press Release, <i>Public Health Issues Guidance Related to COVID-19 for Participants and Spectators of the 2020 LA Marathon</i> , March 5, 2020	51–52
9	Los Angeles County Department of Public Health Press Release, <i>Los Angeles County Announces First Death Related to 2019 Novel Coronavirus (COVID-19)- Public Health Confirms First Death from COVID-19 and Six Additional Cases in Los Angeles County</i> , March 11, 2020	53–54
10	Los Angeles County Department of Public Health Press Release, <i>2019 Novel Coronavirus (COVID-19) Advisory 46 New Cases of Confirmed COVID-19 in Los Angeles County</i> , March 18, 2020	55–57
11	Los Angeles County Department of Public Health Press Release, <i>2019 Novel Coronavirus (COVID-19) Advisory 25 New Cases of Confirmed COVID-19 in Los Angeles County</i> , March 16, 2020	58–60
12	Los Angeles County Department of Public Health Press Release, <i>2019 Novel Coronavirus (COVID-19) Advisory 50 New Cases of Confirmed COVID-19 in Los Angeles County</i> , March 17, 2020	61–63
13	24 Hour Fitness Temporary Closed Sign due to detection of COVID-19, Bates Number: 24HF Production 0203463	64

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14	County of Los Angeles Department of Public Health Order, March 16, 2020	65–69
15	Los Angeles County Department of Public Health Press Release, <i>LA County Public Health Issues Order to Prohibit Group Events and Gatherings, Require Social Distancing Measures and the Closure of Certain Businesses</i> , March 16, 2020	70–72
16	State of California, Executive Order N-33-20, March 19, 2020	73–74
17	Continental Casualty Company Policy No. 6013789648, Bates Numbers: CAN-00000208–256	75–123
18	Endurance American Specialty Insurance Company Policy No. GPR100097903, Bates Numbers: EASIC000412–470	124–182
19	Starr Surplus Lines Insurance Company Policy No. SLSTPTY11203219 (both primary and excess), Bates Numbers: STARRCL00004–71	183–250
20	Allianz Global Risks US Insurance Company Policy No. USP000783190 (both primary and excess), Bates Numbers: ARGUS0000288–351	251–314
21	Liberty Mutual Fire Insurance Company Policy No. MJ2-L9L-433817-029, Bates Numbers: LIBERTY0000122–183	315–376
22	Beazley USA Services, Inc. Policy No. W27C0A190101, Bates Numbers: LYDSUW000008–74	377–443
23	Allied World National Assurance Company Policy No. 0311-9178-1N, Bates Numbers: ALLIED000180–231	444–495
24	QBE Specialty Insurance Company and General Security Indemnity Company of Arizona Policy Nos. AHAR11191-00 and TR00202191601284, Bates Numbers: GSINDA000043–125	496–578
25	September 2, 2020 Second Reservation of Rights Letter to 24 Hour Fitness, Bates Numbers: 24HF_Production_0003142–24HF_Production_0003146	579–583
26	World Health Organization, <i>Novel Coronavirus (2019-nCoV) Situation Report – 11</i> , January 31, 2020	584–591
27	World Health Organization, <i>WHO Director-General's opening remarks at the media briefing on COVID-19</i> , March 11, 2020	592–595
28	NBC News, <i>Surgeon General Has Coronavirus Warning: 'This week, it's going to get bad'</i> , March 28, 2020	596–601
29	California Department of Public Health, <i>Influenza Surveillance Report 2019–2020 Season</i>	602–632
30	American Medical Association, <i>Community Prevalence of SARS-CoV-2 Among Patients With Influenza-like Illnesses Presenting to a Los Angeles Medical Center in March 2020</i> , May 19, 2020	633–634

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35	Defendant QBE Specialty Insurance Company's Responses to Plaintiff's First Set of Interrogatories, served on December 22, 2021	704–720
36	Defendant General Security Indemnity Company of Arizona's Responses to Plaintiff's First Set of Interrogatories, served on December 22, 2021	721–737
37	Defendant Allianz Global Risks US Insurance Company's Responses to Plaintiff's First Set of Interrogatories, served on December 22, 2021	738–759
38	Defendant Liberty Mutual Fire Insurance Company's verified Responses to Plaintiff's First Set of Interrogatories, served on December 22, 2021	760–787
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49	Exhibit 16 from the Deposition of Dr. Alexis Sauer-Budge – Oxford University Press for the Infectious Diseases Society of America, <i>COVID-19 Outbreak Associated with a Fitness Center — Minnesota, September–November 2020</i>	859–871
50	Exhibit 17 from the Deposition of Dr. Alexis Sauer-Budge – <i>Investigating SARS-CoV-2 persistent contamination in different indoor environments</i> , July 28, 2021	872–885
51	Exhibit 18 from the Deposition of Dr. Alexis Sauer-Budge – Morbidity and Mortality Weekly Report, <i>Geographic Differences in COVID-19 Cases, Deaths, and Incidence — United States, February 12–April 7, 2020, April 17, 2020</i>	886–892
52	Excerpts from the transcript of the 30(b)(6) Deposition of Beazley-Lloyd’s through Andrea Matott taken on October 11, 2022	893–905
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68	CNA Financial Corporation, Form 10-K Filing to United States Securities and Exchange Commission, 2019	1214–1377
69	National Association of Insurance Commissioners, <i>Business Interruption/Business Owner's Policies</i> , Last Updated August 25, 2023	1378–1383
70	Columbia Mailman School of Public Health, <i>Epidemic, Endemic, Pandemic: What are the Differences</i> , February 19, 2021	1384–1391
71	Worldometers, <i>Coronavirus Cases</i> , Last Updated November 3, 2023	1392–1407
72	Reuters, <i>U.S. surgeon general says coronavirus outbreak 'to get bad' this week</i> , March 23, 2020	1408–1413
73	CDC, <i>Interim Guidance for Businesses and Employers to Plan and Respond to 2019 Novel Coronavirus (2019-nCoV)</i> , February 2020	1414–1418

Dated: November 10, 2023

Respectfully submitted,

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